



## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MB Docket No. 22-215; RM-11929; DA 22-578; FRS-89945]

Television Broadcasting Services Orono, Maine

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission has before it a petition for rulemaking filed by Maine Public Broadcasting Corporation (Petitioner), the licensee of WMEB, channel \*9, Orono, Maine. The Petitioner requests the substitution of channel \*22 for channel \*9 at Orono in the Table of Allotments.

**DATES:** Comments must be filed on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] and reply comments on or before [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 45 L Street, NE, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve counsel for the Petitioner as follows: Derek Teslik, Esq., Gray Miller Persh, 2233 Wisconsin Avenue, NW, Washington, D.C. 20007.

**FOR FURTHER INFORMATION CONTACT:** Joyce Bernstein, Media Bureau, at (202) 418-1647; or Joyce Bernstein, Media Bureau, at [Joyce.Bernstein@fcc.gov](mailto:Joyce.Bernstein@fcc.gov).

**SUPPLEMENTARY INFORMATION:** In support, the Petitioner states that the proposed channel substitution would serve the public interest, since moving the Station to a UHF channel would improve indoor reception. According to the Petitioner, although the proposed channel \*22 facilities will result in a slight reduction in the Station's predicted population served, much of the predicted loss area is served by the Petitioner's other commonly owned stations WCBB-TV,

Augusta, Maine<sup>4</sup> and WMED-TV, Calais, Maine, which largely air the same programming as WMEB-TV. The Petitioner further states that once terrain-limitations are factored into the analysis, the new loss area that would be created by the proposed channel substitution would contain only 523 persons, which it asserts is below the level the Commission considers *de minimis* in the context of determining whether there would be an impermissible loss of service. Moreover, the proposed channel change would result in first service to a substantial number of persons.

This is a synopsis of the Commission's *Notice of Proposed Rulemaking*, MB Docket No. 22-215; RM-11929; DA 22-578, adopted May 25, 2022, and released May 25, 2022. The full text of this document is available for download at <https://www.fcc.gov/edocs>. To request materials in accessible formats (braille, large print, computer diskettes, or audio recordings), please send an email to [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or call the Consumer & Government Affairs Bureau at (202) 418-0530 (VOICE), (202) 418-0432 (TTY).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Pub. L. 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Pub. L. 107-198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, do not apply to this proceeding.

Members of the public should note that all *ex parte* contacts are prohibited from the time a Notice of Proposed Rulemaking is issued to the time the matter is no longer subject to Commission consideration or court review, *see* 47 CFR 1.1208. There are, however, exceptions to this prohibition, which can be found in Section 1.1204(a) of the Commission's rules, 47 CFR 1.1204(a).

*See* Sections 1.415 and 1.420 of the Commission's rules for information regarding the proper filing procedures for comments, 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television.

Federal Communications Commission.

Thomas Horan,  
Chief of Staff,  
Media Bureau.

**Proposed Rule**

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

**PART 73 - - Radio Broadcast Service**

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

**§ 73.622 [Amended]**

2. In § 73.622 in paragraph (j), amend the Table of Allotments under Maine by revising the entry for Orono to read as follows:

**§ 73.622 Table of allotments.**

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(j) \*\*\*

Community	Channel No.
*****	
<b>MAINE</b>	
*****	
Orono	*22
*****	